

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

PHILADELPHIA INDEMNITY)
INSURANCE COMPANY,)
)
 Plaintiff,) Case No.: 6:20-CV-03065-MDH
v.)
)
 ATLANTIC SPECIALTY)
INSURANCE COMPANY,)
)
 Defendant.)

**JOINT MEMORANDUM REGARDING SETTLEMENT AGREEMENT REACHED
AND JOINT MOTION FOR TIME TO FILE DISMISSAL PLEADINGS**

COME NOW the parties, by and through their counsel, and respectfully submit this joint memorandum to inform the Court that a settlement agreement has been reached between the parties. The parties jointly move for an order from this Court to allow fourteen (14) days for the parties to submit dismissal pleadings, and in support thereof state as follows:

1. On or about February 8, 2022, this Court entered its Order (Doc. #66), wherein it denied Philadelphia Indemnity Insurance Company's Motion for Summary Judgment, granted Atlantic Specialty Insurance Company's Motion for Summary, and entered summary judgment in favor of Defendant Atlantic Specialty Insurance Company.
2. The Clerk's Judgment was filed on or about February 10, 2022 (Doc. #67).
3. On or about March 2, 2022, Atlantic Specialty Insurance Company filed a Proposed Bill of Costs (Doc. #68), and a memorandum in support thereof (Doc. #69).
4. Subsequently, the parties reached a settlement agreement. Specifically, Philadelphia Indemnity Insurance Company has agreed not to appeal the Court's Order and/or the

Clerk's Judgment, and in exchange Atlantic Specialty Insurance Company has agreed to withdraw its Proposed Bill of Costs and it agreed not to seek recovery of taxable costs from Philadelphia Indemnity Insurance Company.

5. This joint submission is being filed by the parties in order to inform the Court about the settlement agreement referenced in paragraph 4 herein.

6. The parties request fourteen (14) days to submit proper dismissal pleadings to the Court.

WHEREFORE, the parties respectfully request that the Court grant their motion and allow the parties fourteen (14) days to submit dismissal pleadings to the Court.

Respectfully submitted,

BROWN & JAMES, P.C.

/s/ Robert Brady

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